

REMARKS

The Office Action dated December 15, 2004 has been reviewed and the Examiner's comments carefully considered. The present Amendment amends claims 1 and 4-6 and adds claims 7-11. No new matter has been added.

Initially, the Examiner is thanked for indicating that the subject matter of claims 4-6 defines over the prior art of record. In particular, the Examiner objects to these claims as being dependent upon a rejected base claim, but will allow such claims if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Of pending claims 1-6, only claims 1-3 stand rejected. Claims 4-6 have been amended to address various informalities. In view of the foregoing amendment to independent claim 1, and the following remarks, Applicants respectfully request reconsideration of these rejections.

35 U.S.C. §102 Rejections

Claims 1-3 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,977,733 to Samejima et al. (hereinafter "the '733 patent"). The '733 patent is directed to a tractor having a grass cutting system vertically movably mounted between the front and rear wheels.

Independent claim 1, as amended, is directed to a mid-mount mower having, among other limitations, a second cross frame that has a mid-portion that defines a downwardly opening recess. The '733 patent does not teach or suggest a mid-portion on a second cross frame that defines a downwardly opening recess.

For at least the foregoing reasons, independent claim 1 is not anticipated by or rendered obvious over the '733 patent or any of the remaining art of record, whether used alone or in combination. Reconsideration and withdrawal of the rejection of independent claim 1 is respectfully requested.

Claims 2-6 depend either directly or indirectly from, and add further limitations to, independent claim 1. Therefore, claims 2-6 are believed allowable for the reasons discussed hereinabove in connection with independent claim 1. Therefore, for at


least the above reasons, reconsideration of the rejections of claims 2-6 is respectfully requested.

CONCLUSION

For all of the foregoing reasons, Applicants believe that claims 1-6, as amended, are patentable over the cited prior art and in condition for allowance. The Examiner has already indicated that the subject matter of claims 4-6 defines over the prior art of record. Accordingly, reconsideration of the rejections and allowance of all pending claims 1-11 is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees as set forth in 37 C.F.R. §§ 1.16 and 1.17 which may be required, or to credit any overpayment to Deposit Account No. 23-0650.

Respectfully submitted,
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